PRESENTATION OF THE REPORT OF THE COMMITTE)) ON PAPERS LAID ON THE TABLE

SHRI R. MOHANARANGAM (Tamil Nadu): Sir, I beg to present the Twenty-fourth Report (in English and Hindi) of the Committee on Papers Laid on the the Table.

REFERENCE TO THE OBSERVANCE OF BHARAT BANDH, BY OPPOSITION PARTIES AND DEMAND BY GOVERNMENT EMPLOYEES FOR AMENDMENT OF ARTICLE 311 OF THE CONSTITUTION

MR. CHAIRMAN: Now, I have permitted Mr. Dipen Gosh to raise a point.

SHRI DIPEN GHOSH (West Bengal): Mr. Chairman, Sir, today when we are sitting here the people of our country, except people of Bengal, Tripura and Delhi, are observing a general strike to protest against the savage rise in prices of various essential commodities recently made through administration orders. Sir, at the same time, more than 50 lakh State Government employees are also observing a day's strike today to protest against the Supreme Court judgment which arms the Government with powers for arbitrary dismissal of the Government employee under article 311 2(1) (a) (b) (c) of the Constitution. Though there was a debate yesterday in this House on the price rise, but neither the ruling party Members who participated in the debate defending such hikes nor the three Ministers who replied to the debate who defending such hikes, could satisfy the people of our country. And, therefore, they are on the path of agitation today.

So, Sir, we want on behalt of the people of our country the immediate withdrawal of the administrative orders which have culminated into savage hike of prices of several essential commodities.

Sir, we also demand on behalf of State and Central Government employees of our country to immediately repeal the article 311(2) (a), (b) and (c) of the Constitution of India.

Sir, I hope that the Government side will come out with a statement immediately stating what is their reaction and how they are going to withdraw these orders and protect the rights of the people, livelihood of the people as well as the Government employees. Sir, Shri Sitaram Kesri, our hon'able Minister of State for Parliamentary Affairs is here. Let him make a statement on this. (*interruptions*)

MR. CHAIRMAN: I could go by people who have given their names earlier. I will give everybody a chance. You need not to be afraid.

SOME HON. MEMBERS: Sir, one member from each Party will speak. Let us finish with this.

MR. CHAIRMAN: I do not mind but on one condition. Each person will speak only for three minutes.

HON. MEMBERS: Right, Sir.

MR. CHAIRMAN: Shri Sukomal Sen. Because he has given his name earlier. Shri Sukul has also given his name earlier.

SHRI SUKOMAL SEN (West Bengal): Sir, at the call of the Opposition Political Parties, people of the country are observing today Bharat Bandh to raise their protest against the recent order of the Government raising the prices of petrol, diesel, kerosene and other essential commodities. Sir, at the same time, at the call of the All India State Governments Employees Federation, 60 lakhs of State Governments employees are also observing one day token strike throughout the country, demanding deletion of Articles 310 and 311 (2) (a), (b) and (c) of the Constitution. Sir, as the price rise is hitting the people of the country and particularly the recent hike in the prices of all commodities has put additional burden on the people of the country, they are protesting. Likewise, the Government employees are also protesting against the existence of such undemocratic Articles in the Constitution like 310 and 311 (2) (a) (b) and (c) which are being used against the Government employees. It has been used in the past. Now also, it is being used to dismiss them without showing any reason and without serving them with the charge-Sheet. Sir, particular-

ly the recent Supreme Court Judgment on these Articles has made the situation further worse. That is why, Government employees are demanding that these Articles which smak of feudalism should be immediately deleted from the Constitution and the Government should come up with the amending Bill of the Constitution. Sir, I hope that the Government of India, their representatives, they will make a statement on the issue of Bandh, are the issue of price rise and also on the issue that has been raised by the Government employees of the country.

SHRI P. N. SUKUL (Uttar Pradesh): Sir, today, two programmes are being held as my opposition friend has said, one is Bharat Bandh against the price hike in the prices of certain commodities. I *have nothing to do with that. It is a* political call and personally, I feel, it shoud not have been done because it is not going to serve any purpose. But I want to attract the attention of the House about the second call about which Mr. Sukomal Sen has just now spoken i.e. one day token strike by State Governments employees to register their protest against the Supreme Court verdict in last July that under the Articles 310 and 311 (2) (a), (b) and (c), the services of any government servant can be terminated even without serving him with a show cause notice or a charge-sheet. Sir, this is against all canons of justice, against all democratic principles. Any employee, an Government servant, must be given show cause notice and must be served with a charge-sheet. So, I feel strongly that these articles must be amended suitably and if the Government feel, that any employee indulges in activities that are anti-national or against national unity and integrity, then, of course, in such cases, his services may be terminated but this should be specificaly provided in the Constitution that under these condi- only the services can be terminated out charge-sheet. Otherwise, only in course, following due process of rules regulations, the services of the rnment servant should be ed. Many members of this party ngly feel about this and so. equest the Government to reconsider its stand in respect of these two Articles of the Constitution.

SHRI M. S. GURUPADASWAMY (Karnataka): Sir. "Bharat bandh" has come not because some of the Opposition parties wanted it. It has come about as a spontaneous reaction of the people against the substantial hike in the prices of various commodities affecting their day-to-day life. There has been a hefty increase in the prices of rice and wheat. There has been an increase in the prices of petroleum products. Previously, Sir, there had been a substantial rise in the prices of commodities and articles like steel, paper and cement. I think there has been a large-scale wide-ranging increase in the prices adversely affecting the family budgets of the poor, the vulnerable and the middle class. Nearly 80 per cent of our people have been affected as a result of this price hike. Therefore, the Opposition parties have given a lead to this protest against this abnormal increase in the prices of these commodities. Therefore, Sir, through you, I would appeal to the Government even at this late hour to announce the withdrawal of this price hike.

Secondly, there is also a protest by the Government employees against the verdiot of the Supreme Court in respect of their services. This has been taken very seriously by all the Government employees because it affects them adversely. On these two counts, there is "Bharat Bandh" today. We support this "Bharat Bandh" and I hope and trust that the ruling party will appreciate the spirit behind this "bandh" and will *not* take it as a mere political move on the part of the Opposition and agree to declare that they would scrap these price increases and also reconsider the matter which has been decided by the Supreme Court in respect of the services of Government employees.

SHRI LAL K. ADVANI (Madhya Pradesh): Mr. Chairman, Sir, I join my colleagues on both the issues that have been raised supporting the "Bharat bandh", against the price hike and in support of the Government employees demand for an amendment in the law relating to article 311(2) and article 310. Yesterday, I had drawn the attention of this House to a series of notifications laid on the Table

[Shri Lal K. Advani]

by the Minister of State for Finance. There were 42 notifications in all. And later when I went through these notifications, I was literally shocked. I was flabbergasted, to find that at a time when the poor are being penalised through hikes in administered prices on the ground that we have to bridge the resource gap, the rich are being given reliefs through notifications of this kind. I have with me one notification which says that the hotel industry would be given reliefs in the matter of customs relating to import of dough-kneading machines, electric egg-boilers, bread-buttering machines, sandwich units and so on. I have only to read out the list to underline how shocking it is that at a time when burdens are being imposed on the poor without securing parliamentary sanction, through notifications of this kind, the rich are being given reliefs. I have with me three other circulars relating to Maruti cars and components of Maruti cars where customs reliefs have been given. One circular says that the revenue loss is of the order of Rs. 9 crores; the second one says that the revenue loss is of the order of Rs. 2.16 crores; and in the third, the revenue loss is Rs. 2 crores. Now this is the kind of fraud that is being perpetrated on the people of the country. Because, I regard these increases through notifications as fraudulent—these increases made just two or three days before the Budget—and therefore, I feel that in this case the people's reaction outside is perfectly justified and I would like to voice that reaction join with them, and as a protest against Government's attitude walk out from the House.

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (RAJYA SABHA) (SHRI SITARAM KESARI): Mr. Chairman, so far as the word 'fraud' used by him is concerned, I think it is not proper . . . .

SHRI DIPEN GHOSH: Why not? You have perpetrated a fraud on the parliamentary system.

MR. CHAIRMAN: It is quite legal to use words like 'fraud on the Constitution', 'fraud on the procedure' and so on. Therefore, it is only in that sense it has been used.

SHRI INDRADEEP SINHA (Bihar): I rise to convey to you and through you, to the Government the sense of grievance and protest on the part of the people of India and the employees of the Central and the State Governments on their latest decisions. The honourable the Finance Minister has publicly declared, rather he has publicly callenged anybody to suggest an alternative policy. We have suggested alternative meaoures earlier but he has not cared to look at them. Here the question is: You are giving relief to the rich and imposing burdens on the poor. Last year Prof. Bhabatosh Dutta described this policy as designed to achieve the greatest good of the smallest number. We want the Finance Minister to have the opposite—the greatest good of the greatest number. If he is not capable of adopting that policy, this protest will grow.

As regards the interpretation of Articles 310 and 311. I am reminded of a British legislation of the pre-independence period about which our national leaders declared—the sum and substance of this legislation is that there shall be no *vakil*, there shall be no *dalil* and there shall be no appeal. This is the interpretation which the Supreme Court has now given to Articles 310 and Article 311. Therefore, the demand that they be amended is perfectly justified and we fully support that demand and request Government even now to declare that they are reversing their course and returning to a policy which is in the interests of the people and in the interests of the country. And if they are not capable of reversing that course, then the people will find the way out.

श्री बी० सत्यनारायण रेड्डी (आन्ध्र प्रदेश) : आज सारे देश में सरकार की जो गलत नीतियां हैं उन के खिलाफ भारत बंद बनाया जा रहा है । यह बंद पूरे तरीके से बहुत ही कामयाब रहा क्योंकि हिन्दुस्तान का हर आदमी च वह कारखाने में काम करने वाला या खेत में काम करने वाला हो दफ्तर में काम करने वाला हो या र में काम करने वाला हो यह महसूस रहा है कि यह सरकार इन स की जो तकलीफें हैं उन को भह

की हालत में नहीं है और इसी लिये सरकार ने किसी चीज को समझे बगैर पेट्रोल की कीमतों को बढ़ा दिया है। फूडग्रेन जो आम लोगों की जरूरत की चीज है, किरोसिन जो गरीब इस्तेमाल करता है उस की कीमतों को बढ़ा दिया है। इस तरह से जो रोजमर्रा की जिन्दगी के लिए जरूरी चीजें हैं उन पर सरकार ने बगैर पार्लियामेंट को कांफीडेंस में लिए हुए कीमतों को बढ़ा दिया है। इसके खिलाफ सारे लोगों ने देश को आज यह गुस्सा दिखाया और सारे देश में यह एक तरह का सरकार के खिलाफ सेंश्योर मोशन है और मैं सरकार को याद दिलाना चाहता हूं कि जब हम ने आजादी हासिल की थी तो हजारों, करोड़ों लोग शहीद हुए थे, उन्होंने कुर्बानी दी थी महात्मा गांधी के नेतृत्व में और महात्मा गांधी ने कहा था कि जब कोई कार्य करो, कोई कानून बनाओ तो हिन्दुस्तान का जो सब से गरीब से गरीब आदमी है उस को अपने सामने रखो और सोचो कि जो यह काम करने जा रहे हो वह उस आदमी की भलाई के लिए है या नहीं। इस बात को हमेशा ध्यान में रखो। इस को सरकार ने ध्यान में नहीं रखा और इस लिए इस सरकार को रहने का कोई हक नहीं है और इस के खत्म होने के दिन अब आ रहे हैं और मैं इस के लिए सरकार के खिलाफ सख्त एतराज करता हूं और इस कदम के खिलाफ और लोगों की अपनी अपनी राय देने के बाद हम सब वाक आउट करना चाहते हैं।

4 P.M.

SHRI SUSHIL CHAND MOHUNTA (Haryana): Sir, the people expressed their anguish and register their protest through public meetings and Press statements against the unauthorised and the anti-people hike resorted to by the Government. But nobody listened to them. Ultimately, I had no other alternative or choice to organise the 'Bharat *bandh*' so also strongly realise that it has forgotten the common people and they are caring for a limited number of rich people and all the poor people are being subjected to a lot of harassment as a result of this price hike. Therefore, Sir, my party joins with all others in supporting this bandh. I am making now a last-minute request to the Government to heed, since they have not heeded to the voice of anguish of the people expressed through public meetings and Press statements, to this request now. At least now they should realise this and it is because they have not listened to the people's voice, they are observing the *bandh*, the whole country is observing this *bandh*. At least, Sir now they must realise that the difficulties of the common man must be solved first and relief be given subsequently to the other people. But the common man must be thought of first and the first possible measure must be in the direction and the difficulties in which they are placed now must be obviated.

MR. CHAIRMAN: Yes, Mr. Dhabe.

SHRI S. W. DHABE (Maharashtra): Sir, immediately after the judgment of the Supreme Court came in the Shah Bano case, the Government at once came forward to introduce a Bill to amend section 125 of the Cr. P.C. But the Central and State Government employees and the employees of the public sector undertakings have been crying for the last six months or so to remove the injustice that is being done through this judgment and even the Congress (I) people are saying that the Government should do something about it. But the Government is not budging an inch from its stand on the Supreme Court judgment which has taken away the rights of the employees under article 310 and 311 of the Constitution, which is not known in the history of the working class movement in this country.

Sir, the working class people have secured their rights not through the mercy of the Government, but through their efforts and sustained endeavour over the

(Shri S. W. Dhabe)

last fifty years. Article 311 gives protection to the working class and the Government servants and it should be continued. This is the demand of the Government servants for which they are on strike. We are talking of the increase in prices and now they are increasing the railway fares also. If they can do that in the Budget, where was the need for having the administered prices increased which should be a part of the main Budget? For the last two years we have been protesting against this policy of the Government of increasing the prices on the eve of the Budget session through executive orders. This is contempt of the House, contempt of the entire Parliament and contempt of parliamentary democracy itself. Within fifteen days, Sir, Parliament was about to meet and this could have been done in the Budget itself. But they are doing it through the back-door methods and as a *fait accompli.* This is a wrong policy of the Government. Against this and against the indiscriminate increase in the prices of many items the people are now protesting and they are observing the 'Bharat *bandh*' today throughout the country. They must listen to the voice of the people and reconsider their decision.

MR. CHAIRMAN: Yes, Mr. Maran.

SHRI MURASOLI MARAN (Tamil Nadu): Sir, I support the 'Bharat *bandh*' and oppose stoutly the recent price increases.

Sir, this has become an annual feature. On the 28th February they present the Budget. But, before that, they present a mini-Budget and they increase the prices of all essential commodities. For example, Sir, one of the reasons that they are advancing is that they want to reduce the consumption of petrol and that is why they have increased the prices of petroleum and petroleum products. This argument will not hold water. Thousands and thousands of people are in the waiting list to get gas connections. How can they reduce the demand now by increasing the prices of these items? It is impossible. Sir, the recent increase in the prices of many commodities is so horrible that it is affecting the comman man very much. As Mr. Advani has stated, Sir, yesterday they have given concessions to the super-rich in the country. He has given the list to me now. Kindly look at the list. They have given concessions in import duties for potato peelers for the use of five-star hotels! They have given concessions in respect of carpet shampooing machines! Look at this: More than sixty per cent of the people are living below the poverty line and they cannot even apply a drop of hair oil on their heads. But the Government is giving concessions in respect of machines meant for shampooing the carpets! There are many such items here for which concessions have been given to the rich people to the tune of crores of rupees. On the one hand, the concessions are given to the rich and, on the other, the common man is taxed heavily. The Government has thus come in its true colours and it is clear that they are for the rich and for the elite only. Sir, they should see the writing on the wall. In recent Tamil Nadu elections to the Local Bodies, the DMK, in alliance with the CPI, the CPI (M), the Forward Bloc and the Muslim League have won hands down. One of the contributory reasons is the recent price hike. I want to emphasise that the Government should see the writing on the wall.

Sir, another factor is that all Government employees throughout India are now feeling as if they are sitting on a volcano, without any permanence in service. They are also very much affected. Sir, I would warn the Government that it is in their own interest that they come forward and withdraw these levies. They have shown their true colours. They are not for the poor but for the rich, the super rich, and they are creating five-star culture. I condemn it, Sir.

SHRI CHITTA BASU (West Bengal): At the outset, I would like to make it clear that the Opposition parties' call for industrial strike and Bharat *Bandh* is not with the object of having any political mileages which is referred to by some of the Members sitting opposite. Sir, it is the duty of the parties in the Opposition to ventilate the feelings of the people of

the country. The country-wie Bharat *Bandh* and the industrial strike that has taken place today right since early morning has become a success, and it is an expression of the anger, indignation, protest and condemnation of the anti-people policies pursued by the Government, particularly in the unjust, undemocratic, steep rise in the prices of essential commodities by-passing the Parliament and Parliament's control and scrutiny over the expenses of the State. Therefore, Sir, it is in the fitness of things that the Opposition should voice that feeling of the people in this House and urge upon the Government to take note of it, take the caution and withdraw the price rise which has been made very recently.

Sir, the second point is that Articles 310, 311(2)(a), (b) and (c) are nothing but anachronism in the democratic set-up, and it reflects the continuance of the theory invented by foreign imperialists in the country. It is in the fitness of things that the strike of the State Government employees has been a success all over the country. The Government also should take note of it and take appropriate action so that the State Government employees are also not required to take a confrontationist attitude, thereby creating further trouble for them, not for us.

MR. CHAIRMAN: Special Mentions. Mr. Mohapatra. (*Interruptions*)

SHRI DIPEN GHOSH: Sir, already the Government made an attack on the common people. Today they have already presented the Railway Budget increasing the fares in every sphere. So, Sir, we cannot associate ourselves with this type of Government functioning. Already they have made affronts to Parliament by issuing administrative orders, increasing the prices. So we walk out and join the people who are protesting at the Boat Club. We join them. (*Interruptions*)

I say that the people will prevail. People will establish themselves—not the Government, not Setaram Kesri and others (*Interruptions*). We express our solidarity with the people.

[*At this stage, some hon. Members left the Chamber*]

MR. CHAIRMAN: I hope Mrs. Kanak Mukherjee will come back for the Special Mention. (*Interruptions*) Please come, Mr. Deputy Chairman.

SHRI NIRMAL CHATTERJEE (West Bengal): Sir, is it the correct time for this?

MR. CHAIRMAN: It was only a token walk-out

SHRI NIRMAL CHATTERJEE: We are walking in.

[**Mr. Deputy Chairman** in the Chair]

REFERENCE TO THE KILLING OF HARIJANS IN KHAIRA DISTRICT (GUJARAT)

SHRI SHYAM SUNDER MOHAPATRA (Orissa): Mr. Deputy Chairman, Sir, I congratulate myself to be the first speaker in your presence today.

Sir, I bring before you a very horrifying story, full of horrors and harrowing tales of massacre of Harijans in the State of Gujarat. Sir, I was thinking that my State of Orrissa is the only one where the bureaucracy is very complacent and just a nincompoop and inefficient Government. But infact, I see that in a State like Gujarat where the Chief Minister is from the backward community, the Harijans are being massacred in the broad daylight and it is in a village called Gulana in Khaira district. And, Sir, I would not have been surprised if it had been the first incident of this type, but in one year 1600 cases have been reported to the police. And the police are so lethargic, incompetent, inefficient and colludding with the hooligans and the upper caste Hindus that even the women are being raped and molested. The newspaper says that the lust of the Zamindars and the landlords is so much for the women that as many as 15 casees of rape on women belonging to the backward classes have been registered with the police during a period of eight months. Sir, this is nothing but a harrowing tale of how the Harijans and the Tribals are being treated. Sir, Gulana has a population of about 3,339, out of which 900 are Harijans and they are being treated in this manner. Sir, only one brave Minister is there in the Treasury Benches and